

Managing Sickness Absence FAQs

This article answers some common questions around employee sickness absence. It should be read alongside our [guide to managing sickness absence](#).

What should a sickness absence procedure look like?

- the employee notifies a designated person they are unwell, such as HR or their line manager. Ideally, employees should:
 - notify the company they are unwell at least 1 hour before they are due to start work (this can be defined differently in your company policy)
 - speak to the designated person on the phone rather than by email. On the phone the employee can be asked about their condition and what work needs to be reallocated
- if necessary, the employee supplies evidence that they are unwell
- the company should keep in touch with the employee while they are off work
- the company should hold a return-to-work meeting when the employee is better and back working
- the company should keep accurate records, preferably on a secure HR system

How long can an employee self-certify they are sick?

For the first 7 days of a sickness absence, employees can self-certify. For absences lasting more than 7 days, you can ask to see a fit note from a doctor or a hospital.

Can we see employee medical information?

If you need to see employee medical information you can:

- write to their GP to ask for a medical report on the employee's condition. However, you will need the employee's consent for the GP to share that report with you
- refer the employee for an occupational health assessment and read the report that follows
- ask the employee to undergo a medical examination

How much is Statutory Sick Pay?

£99.35 per week. Statutory Sick Pay is:

- payable for up to 28 weeks
- payable from day 4 of the sickness. You don't have to pay Statutory Sick Pay for the first 3 days of sickness absence, except when it's for self-isolation for COVID-19
- paid in the same way as normal wages
- However, if an employee is sick you can choose to pay them their full salary. Statutory Sick Pay is mandatory, but contractual sick pay is an option.

What if an employee disagrees with a fit note that says they can work?

You should meet with the employee and:

- find out why the employee thinks they are unable to return to work. Be tactful and sympathetic. The employee may have a genuine reason for their belief
- explain what support the company can offer to help the employee return to work
- explain the impact being off work sick will have on their pay. Will statutory or contractual sick pay apply?

You may need to consider action under the company disciplinary procedure if:

- you have made every reasonable effort to support the employee's return
- the medical evidence is clear they can return

Can an employee return to work before the end of their fit note?

You should consider the health and safety implications of an employee returning to work before it's recommended by medical professionals. Before allowing the employee to return, you should get independent medical advice and complete a risk assessment.

What can we do if we suspect an employee is faking being sick?

You should use the company disciplinary procedure to manage a situation where an employee might be lying about being sick.

An employee is off sick a lot on Fridays and Mondays. What can we do?

When someone has a few days off at regular intervals

this is known as persistent intermittent absences. If you suspect these absences are not genuine sickness absences, you should follow the company disciplinary procedure.

What if an employee has long COVID?

If an employee is too ill to work because they have COVID-19 or Long COVID, this should be treated as any other sickness absence.

From day 4 of a COVID-related sickness absence, employees are entitled to Statutory Sick Pay.

What is a phased return to work?

Phased returns to work are often used where an employee is not well enough to return to work full-time or do all their duties. However, they can carry out some work. A phased return to work may be recommended:

- by the employee or the company
- on a fit note from a doctor
- in an occupational health assessment report
- in a medical report commissioned by the employer

Can we dismiss an employee who is too sick/medically unfit to return to their role?

Yes. However, you must make sure you follow the correct medical capability process to avoid a successful claim for unfair dismissal at an employment tribunal.

Capability dismissal is fact dependent. The fairness of such dismissals is judged on a case-by-case basis. Therefore, the best solution is to call the rradar advice line on 0800 955 6111. We are open 8:00am until 6:00pm Monday to Friday, except bank holidays.

What if an employee refuses to come back to work after a sickness absence?

If an employee refuses to come back to work, you will need to consider the reasons why. If they are still medically unwell, you should handle it through the medical capability process. If they are medically fit, you should handle it through the disciplinary process.

How can I handle seasonal increases in sickness absence?

To manage a situation where lots of people are off work at once because, for example, there is a seasonal bug, you might consider the following to meet workload demands:

- hiring temporary/agency workers
- offering overtime
- offering employees time off in lieu (TOIL) to work extra hours

You might be able to reduce the impact of seasonable absences by:

- offering free flu vaccinations
- allowing employees to work from home more if colleagues become unwell
- enhancing cleaning practices in the office

Where can I get more information?

If after reading these FAQs, you still have a question, call the rradar advice line on 0800 955 6111. We are open 8:00am until 6:00pm Monday to Friday, except bank holidays.